

REMARKS

Claims 16-22, 30, and 31 are currently pending in this application. Claims 16 and 30 are amended herein to more clearly recite the subject matter of Applicant's invention. No new matter is added by these amendments. Claims 16-22, 30, and 31 currently stand rejected.

In the Office Action, the Examiner rejected claims 16-22 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Specifically, the Examiner argued that the phrase "first fold line" in claim 16 lacks proper antecedent basis. Claim 16 has been amended herein, thereby obviating this rejection. No new matter has been added by this amendment.

The Examiner rejected claims 16-22, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of *Wewers* or *Sipinen* and *Williams*. The Examiner further rejected claims 16-22, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Focke et al.* or *Rugenstein et al.* in view of *Wewers* or *Sipinen* and *Williams*. Applicant respectfully traverses these rejections.

First, *Sipinen* is not § 103(a) prior art to Applicant's invention. *Sipinen* issued on October 8, 2002, and has an earliest possible filing date of June 1, 2000. The present application, on the other hand, was filed in the USPTO on May 11, 2001, and has a priority date of May 11, 2000, based on EP 00401294.4. As such, *Sipinen* is not properly cited against the present application.

None of the remaining references discloses a packet of tissues having a square front face and a square rear face as required by the claims. First, *Wewers* discloses

square cotton flannel panels that are stitched together to make a pouch for holding china. Not only does the prior art not disclose folded absorbent paper tissue products, but this reference is not even relevant to the packaging of absorbent paper tissues. Thus, one of ordinary skill in the art would not look to *Wewers* when designing a packet of stacked absorbent tissues and, hence, *Wewers* would provide no motivation to modify the Admitted Prior Art. Second, neither *Williams*, *Rugenstein*, nor *Focke et al.* disclose a square-shaped product. Instead, as shown in the drawings, each of the products disclosed in these patents is rectangular-shaped. Moreover, there is no teaching or suggestion in any of the art cited by the Examiner that would lead one of ordinary skill in the art to modify that which is disclosed into square-shaped paper tissue products. Thus, for at least these reasons, claims 16, 30, and 31, as well as the claims that depend therefrom, are allowable.

Moreover, a rectangular-shaped tissue product does not provide the unexpected results found in the packet of stacked square-shaped absorbent paper tissues recited in the claims. As set forth in the specification of the present application, "[t]he parallelepipedal format of the packet 20, with square frontal faces 22 and 24, makes it possible to improve rigidity. Thus, it is more rigid and retains its shape when stressed." (P. 5, lines 17 - 19.) Specifically, when tissue packets of the present invention are compared to packets having rectangular-shaped faces under the described conditions, the tissue packets of the present invention have a resistance to crushing of at least about 2.5 times that of the prior art packets. (P. 5, line 21 - p. 6, line 17.)

Thus, for at least the reasons set forth above, claims 16, 30, and 31, as well as the claims that depend therefrom, are allowable over the cited art.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: October 30, 2003

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